

REMARKS/ARGUMENTS

Claims 1, 2, 4-15 and 17-22 are pending in the present application, of which claims 1, 14, 21 and 22 are independent claims. Claim 23 has been previously canceled without prejudice or disclaimer. Claims 3 and 16 have been canceled without prejudice or disclaimer by this Amendment. Claims 1, 4, 5, 8, 9, 13, 14, 17, 18, 21 and 22 have been amended by this Amendment.

Claim Rejections under 35 USC § 103

Claims 1-9, 12, 14-19, 21, 22 and 23 stand rejected under 35 USC § 103(a) as unpatentable over Holman in view of Chang and Matheny. Claims 10, 11 and 20 stand rejected under 35 USC § 103(a) as unpatentable over Holman, Chang and Matheny in view of Ben-David. Claim 13 stands rejected under 35 USC § 103(a) as unpatentable over Holman, Chang and Matheny in view of Reams.

Discussion of Disclosed Embodiments

The following descriptive details are based on the specification. They are provided only for the convenience of the Examiner as part of the discussion presented herein, and are not intended to argue limitations which are unclaimed.

Disclosed is an interactive method for generating a supplementary, program-related output. The methods include receiving a supplementary, program-related data signal including an authorization code. The supplementary, program-related data signal contains program-related data associated with a programming signal, the programming signal being intended for broadcast to a user. In other words, the supplementary, program-related output is based on a broadcast

signal which is a combination of a programming signal and a supplementary, program-related data signal including an authorization code. During performance of the programming signal, e.g., display of a television program with advertisements on a television screen, etc., an audible signal is generated only in response to the received supplementary, program-related data signal. The supplementary, program-related data signal is storable on a portable storage media. The retrieval of rewards data corresponding to products or services is enabled by the stored supplementary, program-related data signal. The authorization code included in the stored supplementary, program-related data signal provides authorization for a reward related to the products or services, such as the products or services which are the subjects of the advertisements.

More specifically, the supplementary, program-related data signal (i.e., the reward data signal 7 in Fig. 1) may include any of the data required to print a specific coupon, and that data is transmitted as part of the broadcast output signal 2. (See paragraph 32 of the published version of the present application). The data can include general product or service information, rewards information, as well as product manufacturer or service provider information such as website addresses (URL's). The rewards information may also include reward authorization codes 112. The authorization codes are used to control access to the rewards by, for example, only providing access to viewers (or to a certain numbers of viewers) of particular television programming and/or only for a designated time period after a program has aired. For example, certain rewards may only be accessible to viewers who attempt to access the reward within two hours at the conclusion of a particular program which had broadcast the reward data signal. Alternatively, or in addition, a particular reward may be available for a certain number of viewers, e.g. for the first 200 viewers attempting to access the reward, etc. (See Fig. 3 and paragraph 40 of the published

version of the present application). Accordingly, only a select group of consumers, namely those that have viewed a particular program which caused storage of a particular authorization code, can obtain the reward. (See paragraph 43 of the published version of the present application).

Descriptive summary of Holman

Holman discloses an electronic redeemable coupon generating system. The system of Holman includes an encoder for encoding coupon-related data in a television signal transmission, a decoder for receiving the television signal transmission and extracting the coupon-related data therefrom, and a recording device for recording the extracted coupon-related data on a recording medium for subsequent readout and redemption. The decoder of Holman includes a display driver for displaying indicia on a television monitor screen responsive to coupon-related data encoded in the television signal transmission. Upon observing the indicia on the television monitor screen, the user of the system of Holman can manually and selectively extract the coupon-related data from the television signal transmission. After an optional editing function, the extracted coupon-related data of Holman is stored on a recording medium such as a magnetic card. The decoder of Holman may be part of the standard circuitry of a closed-caption adapted or modified television set (See Abstract of Holman).

Holman further discloses that, in order to be authorized to use the electronic coupon system of his invention it is anticipated that the user will be required to cooperate with a subscription service. A subscription data card is issued to each viewer/user and contains, already recorded on the card, an approval code or household information which was taken from an information sheet prepared by the viewer/user when applying for the subscription. The subscription card is read into the system by swiping it through slot 7 of a magcard reader 133

(FIG. 4), and the data reaches authorization controller 243 via line 247. The information read into controller 243 from the subscription data card includes household data information, i.e. data bytes comprising the secured subscription service portion 256 of the electronic coupon message 250, and expiration date information from data field 270. The former is detected and decoded in decoder 307 which then updates the household data base programmable read only memory PROM 309. This household information on line 306 is combined, in AND gate 305, with the electronic coupon information on line 244 if AND gate 305 is enabled at its other outputs. The updated household database includes the new subscription expiration date which is inserted in field 254 when the user downloads electronic coupons to a Q-Card. In this way, the retailer can verify that a user is an updated and valid subscriber. (See Fig. 4 and col. 16, line 44 through col. 17, line 6 of Holman).

Descriptive summary of Chang

Chang discloses a system and method for broadcast advertising. The system of Chang includes a broadcast receiver that receives a broadcast signal. In addition to the usual video and/or audio data, the broadcast signal of Chang includes embedded product or service data. The broadcast receiver of Chang includes a memory slot that is sized and shaped to receive a portable memory media. In response to a signal received at the broadcast receiver, e.g., from a remote control unit, the embedded product data of Chang is extracted from the broadcast signal and downloaded to the portable memory media forming a virtual shopping list. To facilitate shopping, the portable memory media of Chang can then be installed in a shopping computer, e.g., in an information kiosk at a shopping mall to determine where a particular product can be found, how much it costs, etc. (See Abstract of Chang).

Descriptive summary of Matheny

Matheny relates to encouraging viewers to pay attention to television programs, commercials in particular, by offering viewers some incentive to watch. (See the Abstract of Matheny). A receiver monitors a broadcast signal for triggers, including reward and query triggers and, upon receipt of a reward trigger, the receiver displays some, or otherwise notifies viewers of the possibility of receiving a reward for interacting with the program. Matheny discloses that the invention applies equally where the person receiving information is alerted by sound. Audio alerts are appropriate, for example, for the visually impaired. (See Fig. 4 and col. 6, lines 47-58 of Matheny).

Arguments

The prior art cited by the Examiner fails to disclose, teach or suggest “wherein the authorization code included in said stored supplementary, program-related data signal provides authorization for a selected reward related to said products or services”, as expressly recited by Applicants’ amended claim 1, because Holman combines an approval code or household information from a subscription data card with the electronic coupon information after the electronic coupon information has been received, extracted and stored from a television signal transmission. Accordingly, Holman does not authorize eligibility for a reward or coupon based on an authorization code that was received as part of a signal containing the coupon-related data.

Support for the amendments to the claims is found at least in original claims 3 and 16 and paragraphs 32 and 40-44 of the published version of the present application.

The Examiner (at page 3 of the Office Action) asserts with respect to now canceled claim 3 that Holman discloses authorizing eligibility for a selected reward based on a stored supplementary, program-related data signal at col. 16, line 55 through col. 17, line 6.

As described above, Holman discloses that, in order to be authorized to use the electronic coupon system, a subscription data card is issued to each viewer/user and contains, already recorded on the card, an approval code or household information. This approval code or household information must be read from the subscription data card. Accordingly, the approval code or household information used by Holman to authorize electronic coupons is not received as part of the signal containing the coupon-related data. On the contrary, the approval code or household information must be combined with the electronic coupon information after the electronic coupon information has been extracted from the television signal transmission to verify that a user is an updated and valid subscriber. Authorization of eligibility for a particular reward or coupon in Holman is therefore not based on an authorization code included in a stored supplementary, program-related data signal of a received broadcast signal. Holman therefore fails to disclose, teach or suggest “wherein the authorization code included in said stored supplementary, program-related data signal provides authorization for a selected reward related to said products or services”, as expressly recited by Applicants’ amended claim 1.

The other cited references, Chang, Matheny, Ben-David and Reams, were cited by the Examiner as purportedly disclosing various other features recited in the claims. However, nothing has been found in Chang, Matheny, Ben-David and Reams that would remedy the deficiencies of Holman with respect to the features of claim 1 discussed above.

Accordingly, amended claim 1 is deemed to be patentable over the applied prior art.

Independent claims 14, 21 and 22, as amended, recite features similar to claim 1 and are therefore also deemed to be patentable over the applied prior art for reasons discussed above with respect to claim 1.

Claims 2, 4-13, 15 and 17-20, which each depend from one of independent claims 1 or 14, distinguish the invention over the applied prior art for reasons discussed above in regard to independent claims 1 and 14 as well as on their own merits.

CONCLUSION

This application is now believed to be in condition for allowance, and early notice to that effect is solicited.

It is believed that no fees or charges are required at this time in connection with the present application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,
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